

Environmental Protection Agency

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Best Professional Judgement for modifications not listed in Table 8 of this Part 455);

(2) The discharger will notify its NPDES permit writer at the time of submitting its application for a permit, of its intent to utilize the Pollution Prevention Alternative by submitting to the NPDES permit writer an initial certification statement as described in § 455.41(a);

(3) The discharger will submit to its NPDES permitting authority a periodic certification statement as described in § 455.41(b) once each year of operation; and

(4) The discharger will maintain at the office of the facility and make available for inspection the on-site compliance paperwork as described in § 455.41(c).

[61 FR 57551, Nov. 6, 1996]

§ 455.46 Pretreatment standards for existing sources (PSES).

(a) Except as provided in 40 CFR 403.7 and 403.13 or in paragraph (b) of this section, no later than November 6, 1999, any existing source subject to this subpart which introduces pollutants into a publicly owned treatment works must comply with 40 CFR part 403 and achieve PSES as follows: There shall be no discharge of process wastewater pollutants.

(b) Except as provided in 40 CFR 403.7 and 403.13, any existing source subject to paragraph (a) of this section which introduces pollutants into a publicly owned treatment works must comply with 40 CFR part 403 and may have a pollution prevention allowable discharge of wastewater pollutants, as defined in § 455.41(d), if the discharger agrees to control mechanism or pretreatment agreement conditions as follows:

(1) The discharger will meet the requirements of the Pollution Prevention Alternative listed in Table 8 to this Part 455 (or received a modification by Best Engineering Judgement for modifications not listed in Table 8 to this Part 455);

(2) The discharger will notify its local Control Authority at the time of renewing or modifying its individual control mechanism or pretreatment agreement of its intent to utilize the

Pollution Prevention Alternative by submitting to the local Control Authority an initial certification statement as described in § 455.41(a);

(3) The discharger will submit to its local Control Authority a periodic certification statement as described in § 455.41(b) during the months of June and December of each year of operation; and

(4) The discharger will maintain at the offices of the facility and make available for inspection the on-site compliance paperwork as described in § 455.41(c).

(c) Except as provided in 40 CFR 403.7 and 403.13, any existing source subject to § 455.46(b) which introduces pollutants into a publicly owned treatment works must comply with 40 CFR part 403 and may submit a request to its Control Authority to waive pretreatment of: floor wash; and/or a non-reusable final rinse of a triple rinse, if the concentrations of pesticide active ingredients and priority pollutants in those wastewater sources have been demonstrated to be too low to be effectively pretreated at the facility. The Control Authority may waive pretreatment for these two wastewaters only if the existing source makes the demonstrations and is in compliance with 40 CFR 403.5.

[61 FR 57551, Nov. 6, 1996]

§ 455.47 Pretreatment standards for new sources (PSNS).

(a) Except as provided in 40 CFR 403.7 and 403.13 or in paragraph (b) of this section, any new source subject to this subpart which introduces pollutants into a publicly owned treatment works must comply with 40 CFR part 403 and achieve PSNS as follows: There shall be no discharge of process wastewater pollutants.

(b) Except as provided in 40 CFR 403.7 and 403.13, any new source subject to paragraph (a) of this section which introduces pollutants into a publicly owned treatment works must comply with 40 CFR part 403 and may have a pollution prevention allowable discharge of wastewater pollutants, as defined in § 455.41(d), if the discharger agrees to control mechanism or pretreatment agreement conditions as follows:

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(1) The discharger will meet the requirements of the Pollution Prevention Alternative listed in Table 8 to this Part 455 (or received a modification by Best Engineering Judgement for modifications not listed in Table 8 to this Part 455);

(2) The discharger will notify its local Control Authority at the time of submitting its application for an individual control mechanism or pretreatment agreement of its intent to utilize the Pollution Prevention Alternative by submitting to the local Control Authority an initial certification statement as described in § 455.41(a);

(3) The discharger will submit to its local Control Authority a periodic certification statement as described in § 455.41(b) during the months of June and December of each year of operation; and

(4) The discharger will maintain at the offices of the facility and make available for inspection the on-site compliance paperwork as described in § 455.41(c).

(c) Except as provided in 40 CFR 403.7 and 403.13, any new source subject to paragraph (b) of this section which introduces pollutants into a publicly owned treatment works must comply with 40 CFR part 403 and may submit a request to its Control Authority to waive pretreatment of: floor wash; and/or a non-reusable final rinse of a triple rinse, if the concentrations of pesticide active ingredients and priority pollutants in those wastewater sources have been demonstrated to be too low to be effectively pretreated at the facility. The Control Authority may waive pretreatment for these two wastewaters only if the new source makes the demonstrations and is in compliance with 40 CFR 403.5.

[61 FR 57552, Nov. 6, 1996]

Subpart D—Test Methods for Pesticide Pollutants

§ 455.50 Identification of test procedures.

The pesticide active ingredients to which this section applies and for which effluent limitations guidelines and standards are specified in this Part

are named, together with the Chemical Abstracts Service (CAS) number (provided to assist in identifying the pesticide active ingredient only) and analytical method(s) designation(s) in Table IG at 40 CFR 136.3(a). Except as provided in 40 CFR 136.5, the discharge parameter values required under the Clean Water Act must be determined by one of the analytical methods cited and described in Table IG at 40 CFR 136.3(a). Pesticide manufacturers may not use the analytical method cited in Table IB, Table IC, or Table ID of 40 CFR 136.3(a) to make these determinations (except where the method cited in those tables is identical to the method specified in Table IG at 40 CFR 136.3(a)). The full texts of the analytical methods cited in Table IG at 40 CFR 136.3(a) are contained in the *Methods For The Determination of Nonconventional Pesticides In Municipal and Industrial Wastewater, Volume I*, EPA 821-R-93-010A (August 1993 Revision I) and *Volume II*, EPA 821-R-93-010B (August 1993) (the “Compendium”). Each pesticide chemical manufacturer that is required to determine discharge parameter values under this Part using one of the analytical methods cited in Table IG at 40 CFR 136.3(a) must request in writing a copy of the Compendium from the permit authority or local control authority (as applicable) prior to determining such discharge parameter values, unless the manufacturer already has a copy.

[72 FR 11248, Mar. 12, 2007]

Subpart E—Repackaging of Agricultural Pesticides Performed at Refilling Establishments

SOURCE: 61 FR 57552, Nov. 6, 1996, unless otherwise noted.

§ 455.60 Applicability; description of repackaging of agricultural pesticides performed by refilling establishments subcategory.

(a) The provisions of this subpart are applicable to discharges resulting from all repackaging of agricultural pesticides performed by refilling establishments, as defined in § 455.10; whose primary business is wholesale or retail